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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,595	09/19/2003	Timothy A.M. Chuter	ENDOV-64553	3652

24201 7590 02/08/2007  
FULWIDER PATTON LLP  
HOWARD HUGHES CENTER  
6060 CENTER DRIVE, TENTH FLOOR  
LOS ANGELES, CA 90045

EXAMINER
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ISABELLA, DAVID J

ART UNIT	PAPER NUMBER
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3738

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
30 DAYS	02/08/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20070201

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

SEE ATTACHED PAPER.

**DAVID J ISABELLA**  
Primary Examiner  
Art Unit: 3738

***Response to Amendment***

The reply filed on 11/2/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has failed to elect patentably distinct species from each of Group A, Group B and Group C. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

According to the outstanding restriction, applicant is required to elect one embodiment from each group A,B and C. Therefor applicant should elect one figure illustrated in each group to satisfy the outstanding requirement. Applicant's response should include an elected figure from Group A, an elected figure from Group B and an elected figure from group C. Thus far applicant has only elected a figure from Group A and has failed to select a figure from each of Group B and C. Such requirement was set forth in the previous office action as reprinted below.

This application contains claims directed to the following patentably distinct species:

A) Graft: figure 1;13;14;24;25; and 26

B) Anchor: figure 2; and 3

C) Mating Structure: figure 5;6 and 7.

. The species are independent or distinct because in each subsystem, the separate embodiments exhibit features/elements rendering each patentably distinct.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Such election should include one feature from each of groups A; B; and C. (ie. applicant should choose one figure from each of group A; B; and C.) Currently, no claims are generic.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID J. ISABELLA whose telephone number is 571-272-4749. The examiner can normally be reached on MONDAY-FRIDAY.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CORRINE MCDERMOTT can be reached on 571-272-4754. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
DAVID J ISABELLA

Application/Control Number: 10/664,595  
Art Unit: 3738

Page 4

Primary Examiner  
Art Unit 3738

DJI  
1/30/2007